

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CRUZ

CASE NUMBER: 43-05566

DATE 9/23/93	JUDGE ROBERT B. ATTACK	CLERK Cathy Johnson	(X) INFORMATION
DEPARTMENT 7	BAILIFF Paul Tessier	(X) REPORTER () ELECTRONIC MONITOR Rick Taormina	() INDICTMENT () CERTIFICATE FILED: 8/16/93

PEOPLE v.

WILLIAM HALL SPIKER
akas Johnson/Spiler

VIOLATION OF SECTION(S)

1:23152(a) VC, felony,
w/3 prior convictions
2:dismissed
3:dismissed
\$12022.1 PC special al-
legation dismissed.

DISTRICT ATTORNEY

Peter Morgan

COUNSEL FOR DEFENDANT

Larry Shallberg

PROBATION OFFICER

DEFENDANT (X) PRESENT () NOT PRESENT () WAIVER ON FILE () INTERPRETER:

JUDGMENT

The Court, having read and considered report(s) submitted herein and no legal cause having been shown why judgment cannot be pronounced:

- () reinstates criminal proceedings
() having found defendant in violation, revokes probation
() arraigns defendant for judgment
(X) formal arraignment waived
() pronounces sentence and suspends execution
() grants probation () formal () unsupervised () informal
for _____ years on usual conditions and that defendant:
() serve _____ days in the County Jail
() submit person, residence and vehicle to search/seizure
() make restitution through the Probation Department in
() an amount determined by said Department
() the sum of \$ _____ () to State Restitution Fund
() pay a Restitution Fine of \$ _____ for the Restitution Fund
per Sec. 13967 of the Gov't Code () Stayed
() pay a fine in the sum of \$ _____ plus \$ _____ P.A.
() participate in educational/vocational/therapeutic program as
directed by the Probation Officer
() submit to testing for use of alcohol/controlled substances
() totally abstain from use of alcohol/controlled substances
() avoid any place in which alcohol is chief item of sale

Defendant is advised of his rights and voluntarily waives rights, & freely pleads **NO CONTEST** to **COUNT 1**, admitting all 3 prior convictions; understanding the consequences thereof & stipulating to a factual basis.

Per stipulation of counsel, the Court sentences defendant to state prison as outlined at upper right. Defendant first waives a presentence report & waives time for sentencing. Dft to pay a Restitution Fine of \$600 for the Restitution Fund per \$13967 Gov't Code, and ~~xxxxx~~ defendant's driver's license suspended for 4 years.

- () The Court reinstates probation under original terms/and in addition:

OTHER DISPOSITIONS

In light of today's disposition,
the Court **VACATES** court date: 9/28/93.

(X) PD (X) DMV Abstract to DMV
cc: (X) DA (X) JAIL () PROBATION (X) STATE PRISON

- (X) denies probation and sentences defendant to:

() County Jail for _____ days

(X) State Prison for total term of 2 years

(X) middle term of 2 years ~~per State~~
as to Count 1

() prior felony for _____ years

() special allegation of _____
for _____ years

() count _____ to be consecutive to count _____
for _____ years

() count _____ for _____ years
concurrently with count _____

() prior uncompleted sentence _____

(Per stipulation of counsel, the Court orders **COUNTS 2 & 3** & the **\$12022.1 PC special allegation DISMISSED**. Also, counsel stipulate that dft's San Mateo County DUI is to be dismissed--attorney in that county have been advised and ar in agreement. Restitution from that case ~~may, however, be ordered.~~

- () The Court advises defendant of appeal rights and defendant acknowledges receipt of copy of Notice of Rights

CREDIT

(X) Defendant's credit for time, through today

(X) is 102 total days

(X) being 68 days local time

(X) plus 34 days 4019(b) PC time

CUSTODY STATUS

(X) Defendant is remanded to the custody of the Sheriff to be delivered/or

(X) to the Director, Department of Corrections --to serv

() to County Jail state prison sentence imposed herein.

()

- () stay of execution granted and defendant to report

BAIL

() Bail _____

() is exonerated

CLERK'S CERTIFICATE

I hereby certify that the foregoing is a correct copy of the original or file in my office.

Clerk of the Superior Court

Date: _____

[seal]

By _____

Deputy Clerk